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7 **UNITED STATES DISTRICT COURT**  
8 **CENTRAL DISTRICT OF CALIFORNIA**  
9 **WESTERN DIVISION**  
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11 **HARRY SCOTT REYNOLDS,**

12 Plaintiff,

13 v.

14 **NANCY A. BERRYHILL**  
15 (Deputy Commissioner of Operations,  
16 performing duties not reserved to the  
Commissioner of Social Security),

17 Defendant.  
18

**No. LA CV 17-05448-VBF-DFM**

**ORDER**

Adopting Report & Recommendation:

Affirming Commissioner's Decision;  
Dismissing the Action With Prejudice;

Directing Entry of Final Judgment;  
Terminating the Action (JS-6)

19 The United States Magistrate Judge issued a Report and Recommendation  
20 ("R&R") on October 19, 2019, *see* CM/ECF Document ("Doc") 20, and the  
21 accompanying Notice of Filing R&R (Doc 19) advised the parties that any objections  
22 had to be filed no later than November 8, 2018. The parties did not file objections,  
23 and Fed. R. Civ. P. 72(b)(3) requires de novo review only of those parts of an R&R  
24 to which a party has timely objected. *See Khan v. Langford*, 2018 WL 1271204, \*1  
25 (C.D. Cal. Mar. 8, 2018) (citing, *inter alia*, *US v. Reyna-Tapia*, 328 F.3d 1114, 1121  
26 (9<sup>th</sup> Cir. 2003) (en banc)). But the Advisory Committee Notes to Fed. R. Civ. P. 72(b)  
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1 recommend that when no timely objection is filed, the Court should review the R&R  
2 “for clear error on the face of the record.” *Juarez*, 2016 WL 2908238 at \*2 (cite  
3 omitted); *accord Douglass v. USAA*, 79 F.3d 1415, 1420 (5<sup>th</sup> Cir. 1996) (en banc);  
4 *Benitez v. Parmer*, 654 F. App’x 502, 503 (2d Cir. 2016) (citing, *inter alia*, Adv.  
5 Comm. Notes to 1983 Am. of Fed. R. Civ. P. 72(b)). On de novo or clear-error  
6 review, the Court finds no defect in the R&R. Accordingly, the Court will accept the  
7 Magistrate Judge’s findings and conclusions and implement his recommendation.

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9 ORDER

10 **The Report and Recommendation [Doc # 20] is ADOPTED.**

11 **The decision of the Commissioner of Social Security is AFFIRMED.**


12 This action is DISMISSED with prejudice.

13 As required by Fed. R. Civ. P. 58(a), judgment will be a separate document.

14 **The case SHALL BE TERMINATED and closed (JS-6).**

15 IT IS SO ORDERED.

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17 Dated: January 15, 2019

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20 Honorable Valerie Baker Fairbank  
21 Senior United States District Judge  
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